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IFW

November 9, 2004

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

COPY

Re: U.S. Patent Application No.: 10/770,883
For: *REDUCING TETRACYCLINE RESISTANCE IN LIVING CELLS*
Inventor: Levy, Stuart B.
Filed: February 2, 2004
Our Ref. No.: PKZ-012CPCN4

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Information Disclosure Statement;
2. PTO Form SB/08; and
3. A Return Postcard.

No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to:
MS Amendment, Commissioner for Patents, P.O. Box 1450,
Alexandria, Virginia 22313-1450 on:

November 8, 2004
Date

Cynthia M. Soroos, Registration No. 53,623

Respectfully submitted,
LAHIVE & COCKFIELD, LLP

Cynthia M. Soroos
Registration No. 53,623
Attorney for Applicant



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Levy, Stuart B.

Serial No.: 10/770,883

Filed: February 2, 2004

For: *REDUCING TETRACYCLINE RESISTANCE IN LIVING CELLS*

Attorney Docket No.: PKZ-012CPCN4

Group Art Unit: 1614

Examiner: Not Yet Assigned

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

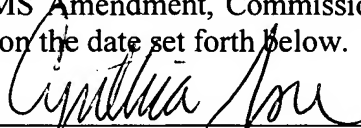
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November 9, 2004

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By:


Cynthia M. Soroos
Registration No. 53,623
Attorney for Applicant

INFORMATION DISCLOSURE STATEMENT

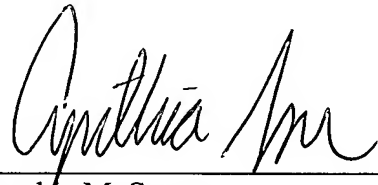
Dear Sir:

For the Examiner's convenience in reviewing this continuation application, Applicant submits a consolidated PTO Form SB/08, listing all references cited during the prosecution of the parent application. The present application is a Continuation of U.S. Serial No.09/504,897, filed February 16, 2000 (Atty. Docket No. PKZ-012CPCN3). All references listed on the enclosed PTO Form SB/08 have been previously cited by or submitted to the Office in the prior application, and, in accordance with 37 CFR §1.98(d), copies of the references are not enclosed but will be provided upon request.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicant understands that the Examiner will make an independent evaluation of the cited publications.

Under 37 CFR § 1.97(b)(3), no additional costs are believed to be due in connection with the filing of this disclosure. If, however, a first Office Action on the merits issues in this application bearing a mailing date prior to the date of this Information Disclosure Statement, please charge the appropriate fee as required under 37 CFR §1.17(p) to our Deposit Order Account No. 12-0080.

Respectfully submitted,
LAHIVE & COCKFIELD, LLP

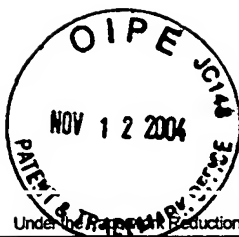


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Date: November 9, 2004

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Enclosures



PTO/SB/08a/b (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/770,883
				Filing Date	February 2, 2004
				First Named Inventor	Levy, Stuart B.
				Art Unit	1614
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	PKZ-012CPCN4

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1	3,236,736	02-1966	Fitch, <i>et al.</i>	
	A2	3,454,697	07-1969	Joyner, <i>et al.</i>	
	A3	3,579,564	05-1971	Blackwood, <i>et al.</i>	
	A4	3,863,009	01-1975	Johnston	
	A5	4,024,272	05-17-1977	Rogalski, W., <i>et al.</i>	
	A6	4,126,680	11-21-1978	Armstrong, W.W.	
	A7	4,806,529	02-21-1989	Levy, S.B.	
	A8	5,021,407	06-04-1991	Levy, S.B.	
	A9	5,064,821	11-12-1991	Levy, S.B.	
	A10	5,258,372	03-02-1991	Levy, S.B.	
	A11	5,589,470	12-31-1996	Levy, S.B.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	A12	WO 84/01895 A1	05-24-1984	Tufts University		

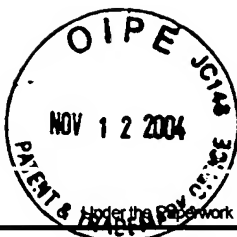
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NON PATENT LITERATURE DOCUMENTS			
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	A13	Bernardi, L., <i>et al.</i> , "Tetracycline derivatives I. Esters of 5-oxytetracyclines: chemistry and biological activity." <i>Il Farmaco - Ed. Sci.</i> 1974 Dec; 29(12):902-9.	
	A14	Brock, P.G., <i>et al.</i> , "Comparison of the in vitro serum microbiological activity of a triple tetracycline tablet, 300 mg B.I.D. with oxytetracycline, 250 mg Q.I.D." <i>J Int Med Res.</i> 1981; 9(5):360-4.	
	A15	Candanaza, <i>et al.</i> , <i>Chem Abst.</i> 83:1393f.	

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	10/770,883
				Filing Date	February 2, 2004
				First Named Inventor	Levy, Stuart B.
				Art Unit	1614
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	PKZ-012CPCN4

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	B1	Chopra, I., <i>et al.</i> , "The tetracyclines: prospects at the beginning of the 1980s." <i>J Antimicrob Chemother.</i> 1981 Jul; 8(1):5-21.		
	B2	Connamacher, R.H., <i>et al.</i> , <i>Chem Abst.</i> 89: 71494n (1978).		
	B3	Curiale, M.S., <i>et al.</i> , "Two complementation groups mediate tetracycline resistance determined by Tn10." <i>J Bacteriol.</i> 1982 Jul; 151(1):209-15.		
	B4	Grassi, <i>et al.</i> , <i>New Trends in Antibiotics: Res. & Therapy</i> , 3-55 (1981).		
	B5	Korolkovas, A., <i>et al.</i> , <i>Essentials of Medicinal Chem.</i> 512-7 (1976).		
	B6	Kuck, <i>et al.</i> , <i>Chem Abst.</i> 74: 74941g (1971).		
	B7	Kuck, <i>et al.</i> , <i>Chem Abst.</i> 79: 74181n (1973).		
	B8	Lebek, <i>et al.</i> , <i>Chem Abst.</i> 82: 26560a (1974).		
	B9	Lehninger, <i>Biochemistry - The Molecular Basis of Cell Structure and Function</i> , 941 (1975).		
	B10	Leigh, <i>et al.</i> , <i>Chem Abst.</i> 81: 115200e (1974).		
	B11	Levy, S.B., <i>New Trends in Antibiotics: Res. and Therapy</i> , 27-44 (1981).		
	B12	Levy, S.B., <i>et al.</i> , <i>Biochemical and Biophysical Res. Commun.</i> 56(4): 1060-8 (1974).		
	B13	Levy, S.B., <i>et al.</i> , <i>Nature</i> 275(5683): 90-2 (1978).		
	B14	McMurry, L., <i>et al.</i> , "Two transport systems for tetracycline in sensitive <i>Escherichia coli</i> : critical role for an initial rapid uptake system insensitive to energy inhibitors." <i>Antimicrob Agents Chemother.</i> 1978 Aug; 14(2):201-9.		
	B15	McMurry, L., <i>et al.</i> , "Active uptake of tetracycline by membrane vesicles from susceptible <i>Escherichia coli</i> ." <i>Antimicrob Agents Chemother.</i> 1981 Sep; 20(3):307-13.		
	B16	McMurry, L., <i>et al.</i> , "Active efflux of tetracycline encoded by four genetically different tetracycline resistance determinants in <i>Escherichia coli</i> ." <i>Proc Natl Acad Sci USA.</i> 1980 Jul; 77(7):3974-7.		
	B17	Mendez, B., <i>et al.</i> , "Heterogeneity of tetracycline resistance determinants." <i>Plasmid.</i> 1980 Mar; 3(2):99-108.		
	B18	Samra, <i>et al.</i> , <i>Chem Abst.</i> 90: 198211u (1978).		
	B19	Sompolinsky, <i>et al.</i> , <i>Chem Abst.</i> 79: 143198n (1973).		
	B20	Williams, <i>et al.</i> , <i>Chem Abst.</i> 86: 150977p.		

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